



PUBLIC NOTICE

Federal Communications Commission
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DA 04-1718
June 15, 2004

**WIRELESS TELECOMMUNICATIONS BUREAU ANNOUNCES THAT
APPLICATIONS FOR MULTICHANNEL VIDEO DISTRIBUTION AND DATA SERVICE
ARE ACCEPTED FOR FILING**

AUCTION EVENT NO. 53
Pleading Cycle Established

Report No. AUC-53 (Auction No. 53)

On January 27, 2004, the Federal Communications Commission completed the auction of 214 Multichannel Video Distribution and Data Service ("MVDDS") service licenses ("Auction No. 53").¹ The long-form applications (FCC Form 601) for the MVDDS licenses listed in Attachment A have been, upon initial review, accepted for filing. The Commission may return or dismiss any application if it is found, upon further examination, to be defective or not in conformance with the Commission's rules. *See* 47 C.F.R. § 1.934 (a), (d).

Petitions to deny the applications listed in Attachment A must be filed no later than **June 25, 2004**, ten (10) days after the date of this Public Notice. *See* 47 C.F.R. § 1.2108(b). Oppositions to a petition to deny must be filed no later than **July 2, 2004**, five (5) business days after the filing date for petitions to deny. *See* 47 C.F.R. § 1.2108(c). Replies to oppositions must be filed no later than **July 12, 2004**, five (5) business days after the filing date for oppositions. *See* 47 C.F.R. § 1.2108(c). All pleadings filed regarding the MVDDS long-form applications should refer to **Report No. AUC-53 (Auction No. 53)**, as well as to the specific FCC file number of the individual application.

Under the Commission's current procedures for the submission of filings and other documents, submissions in this matter may be filed electronically or by paper, according to the instructions below.²

- **If filed electronically** by e-mail, pleadings shall be filed at the following e-mail address: WTBSecretary@fcc.gov. Please also copy (CC) Mindy Littell at mindy.littell@fcc.gov. For security purposes, we recommend that pleadings filed via electronic mail be converted to PDF format.

¹ *See* Multichannel Video Distribution and Data Service Spectrum Auction Closes, Winning Bidders Announced, *Public Notice*, DA 04-215 (rel. Feb. 2, 2004).

² *See* In the Matter of Implementation of Interim Electronic Filing Procedures for Certain Commission Filings, *Order*, 16 FCC Rcd 21483 (2001); FCC Announces a New Filing Location for Paper Documents and a New Fax Number for General Correspondence, *Public Notice*, 16 FCC Rcd 22165 (2001).

- **If filed by hand delivery**, an original and four copies of each pleading shall be delivered to 236 Massachusetts Avenue, NE, Suite 110, Washington, DC 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Please address copies of pleadings to Mindy Littell, Broadband Division, Wireless Telecommunications Bureau, 445 12th Street, SW, Washington, DC 20554.
- **If filed by commercial overnight delivery service** (other than U.S. Postal Service Express and Priority Mail), an original and four copies of each pleading must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. Please address copies of pleadings to Mindy Littell, Broadband Division, Wireless Telecommunications Bureau, 445 12th Street, SW, Washington, DC 20554.
- **If filed by U.S. Postal Service first-class, Express Mail or Priority Mail**, an original and four copies of each pleading must be addressed to 445 12th Street, S.W., Washington, DC 20554. Please address copies of pleadings to Mindy Littell, Broadband Division, Wireless Telecommunications Bureau, 445 12th Street, SW, Washington, DC 20554.

In addition, one copy of each pleading must be delivered to the Commission's duplicating contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC 20554, telephone 1-800-378-3160, or via e-mail at the following e-mail address: WWW.BCPIWEB.COM.

The applications listed in Attachment A are available to the public for electronic viewing in the Commission's Universal Licensing System ("ULS"). Instructions for obtaining and using ULS are contained in Attachments B and C to this Public Notice.

After the pleading cycle, the Wireless Telecommunications Bureau will announce by further public notice applicants to which the Commission is granting licenses. All winning bidders were required to pay the balance of their total winning bids in a lump sum payment by March 2, 2004 (or March 16, 2004, along with the 5% late fee). See 47 C.F.R. § 1.2109(a).

Any amendments to FCC Form 601 applications must be filed electronically. For technical assistance in using ULS for viewing applications or making amendments to applications, contact the FCC Technical Support Hotline at (202) 414-1250 or Elizabeth Fishel, Industry Analyst, at (717) 338-2649. The Technical Support Hotline generally will be available Monday through Friday, from 9 a.m. to 6 p.m. ET. All calls to the FCC Technical Support Hotline are recorded. Questions regarding procedural issues concerning the applications should be directed to Mindy Littell, Esq. at (202) 418-0789.

This Public Notice contains the following attachments:

Attachment A: List of Applications Accepted for Filing – sorted by Applicant.

Attachment A1: List of Applications Accepted for Filing – sorted by Market.

Attachment B: Instructions for Searching for Applications Listed in Attachment A using ULS.

Attachment C: Instructions for Accessing the FCC Network Using Dial Up Networking in Windows 95/98/2000/XP for ULS Filing.